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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 WEN BING LEI,
15 Defendant.

No. 15-cr-71548-SK

**STIPULATION AND ~~Proposed~~ ORDER TO
CONTINUE HEARING AND TO EXCLUDE
TIME**

Date: July 12, 2016
Time: 9:30 a.m.

16 This matter is set for a preliminary hearing or return of an indictment before this Court on July
17 12, 2016. The parties request that this matter be continued to September 13, 2016 at 9:30 a.m. for
18 further setting. Pursuant to Fed. R. Crim. P. 5.1(d), the defendant consents to extending the time limits
19 set forth in Fed. R. Crim. P. 5.1(c) to exclude from the 14-day limit the time from July 12, 2016 to the
20 newly proposed hearing date (i.e., September 13, 2016) to accommodate this request, and defense
21 counsel is continuing to review voluminous discovery, to conduct investigation, and to otherwise
22 prepare the defense. As a result, the parties request that the Court exclude time between July 12, 2016
23 and September 13, 2016 for effective preparation of defense counsel, taking into account the exercise of
24 due diligence, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The extension is not sought for
25 delay, and the parties agree that the ends of justice served by granting the continuance outweigh the best

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interests of the public and the defendant in a speedy trial.

Dated: June 27, 2016

Brian J. Stretch
Acting United States Attorney

/S/
William Frentzen
Assistant United States Attorney

Dated: June 27, 2016

/S/
Mark R. Vermeulen
Attorney for Defendant
WEN BING LEI

ORDER

IT IS HEREBY ORDERED that this matter is continued to September 13, 2016 at 9:30 a.m. for further setting.

IT IS FURTHER ORDERED that pursuant to Fed. R. Crim. P. 5.1(d), the 14-day limit set forth in Fed. R. Crim. P. 5.1(c) shall be extended, such that the 14-day limit shall run from September 13, 2016.

IT IS FURTHER ORDERED that time between July 12, 2016 and September 13, 2016 is excluded pursuant to the Speedy Trial Act for effective preparation of defense counsel, taking into account the exercise of due diligence, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Based upon the parties' stipulation, the Court finds that the extension is not sought for delay, and the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: June 28, 2016


Maria-Elena James
United States Magistrate Judge